

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

Joseph G. DuMouchelle and Melinda
J. Adducci

Debtors.

Chapter 7

Case No. 19-54531

Honorable Lisa Gretchko

Teodor Gelov

Plaintiff,

v.

Joseph G. DuMouchelle and Melinda
J. Adducci

Defendants.

Adversary Pro. No. 20-04172

PLAINTIFF'S THIRD AMENDED INITIAL DISCLOSURES

Plaintiff Teodor Gelov ("Plaintiff"), by and through his undersigned counsel, provides these Third Amended Initial Disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure (the "Rules"), made applicable to this adversary proceeding by Rule 7026 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules").

RESERVATIONS

1. These disclosures are based upon information reasonably available to

Plaintiff as of this date. Continuing investigation and discovery may alter these disclosures. Accordingly, Plaintiff reserves the right to supplement the information disclosed below if additional information becomes available.

2. By making these disclosures, Plaintiff does not represent that any particular document exists within his possession, custody or control.

3. These initial disclosures are made without waiver of, or prejudice to, any objections that Plaintiff may have. Plaintiff expressly reserves all evidentiary and other objections, including, but not limited to, objections on the grounds of (a) relevance, (b) attorney-client privilege, (c) the attorney work-product doctrine, (d) any other applicable privilege or protection under federal or applicable state law, (e) undue burden, (f) immateriality, and (g) overbreadth.

4. Plaintiff reserves the right to clarify, amend, modify, or supplement the information contained in these initial disclosures if and when he obtains supplemental information, to the extent required by the Rules and the Bankruptcy Rules.

5. Plaintiff expressly reserves the right to identify and call as witnesses additional persons other than those listed below if, during the course of discovery and investigation relating to this adversary proceeding, Plaintiff learns that such additional persons have knowledge of relevant matters.

6. These initial disclosures are made subject to and without limiting any of the foregoing reservations.

INITIAL DISCLOSURES

1. In accordance with Rule 26(a)(1)(A)(i), the following persons may have discoverable information that Plaintiff may use to support his claims:

a) Plaintiff, Teodor Gelov

Plaintiff, who may be contacted through his undersigned counsel, has knowledge and information concerning the parties' relationship, the Note that Defendants executed on or about August 3, 2018, communications between Plaintiff and Defendants, Defendants' false and fraudulent representations to Plaintiff, the proceedings and Judgment entered against Defendants in Oakland County Circuit Court, and Plaintiff's damages, among other things.

b) Clarissa Mejia, Custodian of Records
Wells Fargo
Summons and Subpoenas Department
PO Box 29728 S4001-01F
Phoenix, AZ 85038
Voice: (480)724-2000

The Custodian of Records has knowledge of the preparation, recording, transmission, and maintenance of the statements of account, deposit records, signature cards, checks, and other business records that are maintained by Wells Fargo for Defendants' accounts.

- c) Adriane Exum, Custodian of Records
Bank of America Legal Order Processing
P.O. Box 15047
Wilmington, DE 19580

The Custodian of Records has knowledge of the preparation, recording, transmission, and maintenance of the statements of account, deposit records, signature cards, checks, and other business records that are maintained by Bank of America for Defendants' accounts.

- d) Custodian of Records, JP Morgan Chase
National Subpoena Processing
Mail Code TX1-0053
14800 Frye Road
Fort Worth, Texas 76155

The Custodian of Records has knowledge of the preparation, recording, transmission, and maintenance of the statements of account, deposit records, signature cards, checks, and other business records that are maintained by JP Morgan Chase for Defendants' accounts.

- e) Representatives of Defendants including, but not limited to, Joseph DuMouchelle and Melinda Adducci, all former employees of Defendants identified during the course of discovery, and any record keepers or professionals retained by Defendants, who may have knowledge regarding the claims and defenses in this adversary proceeding. Plaintiff presumes that such parties are in possession of information that is relevant to the claims and defenses at issue in this proceeding, including, without limitation, knowledge

and information related to the Note, Defendants' financial records, the Property (16 items of jewelry), including the acquisition and disposition thereof and any records related thereto, the false and fraudulent misrepresentations made to Plaintiff, and Defendants' scheme to defraud Plaintiff.

f) Christine Taylor
Federal Bureau of Investigation
cataylor@fbi.gov
248-828-7574

Ms. Taylor undertook an investigation of the activities of Defendants, created reports and testified as to the same in the DuMouchelle Criminal Proceeding (defined below).

g) Marty Harrity
Frank & Frank, PLLC
30833 Northwestern Hwy.
Suite 205
Farmington Hills, MI 48334

Mr. Harrity has knowledge of the fraud perpetrated on him and the patterns and practices of Defendants regarding the same.

h) A-Ron Resources
Various representatives
Honigman
Glenn S. Walter
660 Woodward Aveune
2290 First National Building
Detroit, MI 48226
gwalter@honigman.com

Representatives of A-Ron Resources has knowledge of the fraud perpetrated on it and the patterns and practices of Defendants regarding the same.

- i) Aaron Mendelsohn
Honigman
Glenn S. Walter
660 Woodward Aveune
2290 First National Building
Detroit, MI 48226
gwalter@honigman.com

Mr. Mendelsohn has knowledge of the fraud perpetrated on him and the patterns and practices of Defendants regarding the same.

- j) Thomas Ritter
Jaffe, Raitt, Heuer & Weiss, P.C.
Jay L. Welford
27777 Franklin Rd.,
Suite 2500
Southfield, MI 48034
jwelford@jaffelaw.com

Mr. Ritter has knowledge of the fraud perpetrated on him and the patterns and practices of Defendants regarding the same.

- k) John Regard
Maddin, Hauser, Roth & Heller, P.C.
28400 Northwestern Highway
Second Floor
Southfield, MI 48034
deisenberg@maddinhauser.com

Mr. Regard has knowledge of the fraud perpetrated on him and the patterns and practices of Defendants regarding the same.

- l) William Noble Rare Jewelers, LP and
William Noble
Wernette Heilman
Ryan D. Heilman
40900 Woodward Avenue
Suite 111
Bloomfield Hills, MI 48304
ryan@wernetteheilman.com

Mr. Noble and William Noble Rare Jewelers, LP have knowledge of the fraud perpetrated on him and it and the patterns and practices of Defendants regarding the same.

- m) JB International, Inc. f/k/a
JB International, LLC
Various representatives
Kaminski Law, PLLC
Shanna Marie Kaminski
40950 Woodward Avenue
Suite 48304
Bloomfield Hills, MI 48304
skaminski@kaminskilawpllc.com

Various representatives of JB International, Inc. have knowledge of the fraud perpetrated on it and the patterns and practices of Defendants regarding the same.

- n) Laura Leist
45532 Green Valley Rd.
Plymouth, MI 48170
734-516-8649

Ms. Leist is a former employee of Melinda Adducci and of Joseph DuMouchelle Fine & Estate Jewellers, LLC and has knowledge of the activities of Defendants related to Plaintiff.

o) The following additional victims of Defendants' fraud:

- (i) Van Wormer
- (ii) Benjamin Zucker
- (iii) Precious Stones
- (iv) Ms. Harris
- (v) Elizabeth Camp
- (vi) Diane Keyes
- (vii) Mr. Couche
- (viii) Ms. Fredrick
- (ix) Collier Smith
- (x) Mr. Young

Each of the foregoing was identified in the testimony of Christine Taylor during the criminal proceedings of Joseph DuMouchelle. The addresses of these victims has not yet been identified.

(p) Ms. Tobin, former DuMouchelle employee.

(q) Any individuals whose identity may become known during the discovery process.

(r) Any experts who become apparent or necessary through the discovery process.

(s) Any necessary and appropriate rebuttal witnesses.

2. In accordance with Rule 26(a)(1)(A)(ii), the categories of documents in Plaintiff's possession, custody or control that he may use to support his claims primarily include, but are not necessarily limited to, the Note, oral (including recordings) and written communications between Plaintiff and Defendants, the deposit records, signature cards, checks, and other business records produced by Wells Fargo, Bank of America and JPMorgan Chase Bank, The Yellow Rose solicitation materials, all Oakland County Circuit Court pleadings and transcripts and other documents filed in this adversary proceeding, including those attached as Exhibits to the Complaint (Defendants are in possession of all of these documents). Plaintiff may also use all pleadings, transcripts and submissions in the proceeding entitled *United States of America v. Joseph Gregory DuMouchelle*, Case No. 20-20245 pending in the United States District Court for the Eastern District of Michigan, all of which are available on PACER ("DuMouchelle Criminal Proceeding"). If necessary, as further investigation and discovery continue, Plaintiff will supplement this disclosure in accordance with the Rules.

3. In accordance with Rule 26(a)(1)(A)(iii), Plaintiff is entitled to \$2,862,715.54—the amount awarded by the Oakland County Circuit Court—which

is comprised of the Funds of \$1,800,000.00, the Guaranteed Return of \$360,000.00, the Late Charge of \$21,600.00, contractual interest through 9/15/19 of \$409,584.53, costs and attorneys' fees through 8/31/19 of \$271,961.06 (the "Judgment Amount"). Plaintiff seeks the full Judgment Amount, plus all costs and attorney's fees incurred by Plaintiff after 8/31/19 and the \$10,000 Per Day Sanction.

4. In accordance with Rule 26(a)(1)(A)(iv), Plaintiff is unaware of any insurance agreements relevant to this action.

Dated: October 10, 2022

Respectfully submitted by,

JAFFE RAITT HEUER & WEISS, P.C.

By: /s/ Jay L. Welford
Jay L. Welford (P34471)
Counsel to Plaintiff
27777 Franklin Road, Suite 2500
Southfield, Michigan 48034
Phone: (248) 351-3000
jwelford@jaffelaw.com

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

Joseph G. DuMouchelle and Melinda
J. Adducci

Debtors.

Chapter 7

Case No. 19-54531

Honorable Lisa Gretchko

Teodor Gelov

Plaintiff,

v.

Joseph G. DuMouchelle and Melinda
J. Adducci

Defendants.

Adversary Pro. No. 20-04172

CERTIFICATE OF SERVICE

I hereby certify that on October 10, 2022, my office caused to be served a copy of the *Plaintiff's Third Amended Initial Disclosures* by ECF notification to all parties who have filed an appearance in the above-captioned adversary proceeding.

Dated: October 10, 2022

Respectfully submitted by,

JAFFE RAITT HEUER & WEISS, P.C.

By: /s/ Jay L. Welford
Jay L. Welford (P34471)
Counsel to Plaintiff
27777 Franklin Road, Suite 2500
Southfield, Michigan 48034
Phone: (248) 351-3000
jwelford@jaffelaw.com